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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Livshits et al.

Application No.: 09/466,935

Filing Date: December 20, 1999

For: NOVEL GENE AND METHOD FOR
PRODUCING L-AMINO ACIDS

Art Unit: 1652

Examiner: Steadman

Attorney Ref. No.: US-126

Via Facsimile to 703 872 9306**Preliminary Amendment****Mail Stop RCE**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment and Advisory Action mailed on March 9, 2005, applicants submit the following preliminary amendment along with their Request for Continued Examination filed herewith. The Examiner has stated that claims 49, 55, 58, and 61 do not have the proper status identifier. The status identifier of these claims have been changed to "withdrawn – currently amended".

Otherwise, the amendment is identical to the after-final amendment filed February 15, 2005, which was denied entry by the Examiner. Applicants request entry of the amendment and reconsideration of the arguments.

Amendments to the claims begin on page 2.

Remarks being on page 7.